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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

9 MICHAEL FRANCIS MOYNIHAN,  
10 JR.,

11 Plaintiff,

12 v.

13 MAKR ROE,

14 Defendant.

Case No. C11-1785-MJP

ORDER OF DISMISSAL

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16 The Court, having reviewed the Report and Recommendation of the Honorable James  
17 P. Donohue, and the balance of the record, does hereby find and ORDER:

18 (1) The Court adopts the Report and Recommendation.

19 (2) This action is DISMISSED without prejudice.

20 (3) The Clerk is directed to send copies of this Order to plaintiff and to the  
21 Honorable James P. Donohue.

22 DATED this 17 day of January, 2012.

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26 Marsha J. Pechman  
United States District Judge